

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 2146 OF 2007

Al-Saif International (India)
and anr. ..Petitioners

Vs.

Pedilite Industries Limited
and anr. ..Respondents

Mr. A.P. Mundargi, Senior Counsel with Mr. Gautam
Hiranandani for petitioners.
Mr. Kewal M. Barsagade for respondent no.1.
Mr. D.R. More, APP for respondent no.2.

CORAM: B.H. MARLAPALLE, J.

Date : July 10, 2007.

P.C.:

. Heard Mr. Mundargi the learned Senior Counsel
with Mr. Gautam Hiranandani for the applicant-company
and Mr. Kewal Barsagade the learned counsel for the
respondent no.2.

. The respondent no.2 has filed C.C. No.
85/P/2003 for the offences punishable under Section 63
of the Copy Right Act, 1957 and under Sections 78 and
79 of the Trade and Merchandise Marks Act, 1958 as
well as Section 420 read with Section 511 of IPC. In

this application filed by the accused, they have prayed for quashing of the proceedings in the said criminal case.

. During the pendency of this application, the parties have arrived at a settlement and a memorandum of settlement is signed between the parties. The respondent no.1 has filed an affidavit stating that it has no objection for quashing the proceedings of the pending criminal case before the learned Additional Chief Metropolitan Magistrate, 47th Court at Esplanade, Bombay.

. As the matter has been settled between the parties amicably and the original complainant has given consent for closing the criminal case initiated by him on account of the settlement as per the affidavit referred to hereinabove, the application is allowed and the proceedings in Criminal Case No. 85/P/2003 are hereby quashed and set aside by mutual consent.

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(B.H. Marlapalle, J.)